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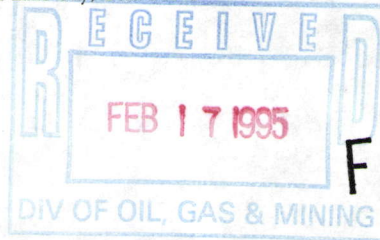
# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Salt Lake District Office  
2370 South 2300 West  
Salt Lake City, Utah 84119

IN REPLY REFER TO:

U-72287  
3809  
(UT-025)



FEB 15 1995

CERTIFIED MAIL P 760 541 320  
RETURN RECEIPT REQUESTED

Mr. William Bown  
Utah Building Stone Supply  
707 South 950 West  
Woods Cross, Utah 84087

Dear Mr. Bown:

Your Notice to conduct mining exploration operations under BLM's 3809 surface mining regulations was received on January 30, 1995. We have assigned your Fisher Creek mining operations, Section 8, T. 13 N., R. 13 W., SLM, in western Box Elder County, Utah, case file number U-72287. In future correspondence for your Fisher Creek operations please refer to this number.

A review of your recently submitted Notice by our staff raised the following concerns:

1. Dan Washington of my staff calculated the acreage of existing disturbance and the amount of proposed new disturbance as approximately 6.9 acres from the map you submitted with your notice. The Surface Mining regulations (43 CFR 3809.1-4) state that disturbance of greater than 5 acres requires a Plan of Operations rather than a Notice.
2. Prior to any surface disturbance a cultural clearance will have to be completed. Snow cover conditions are such that there is not enough bare ground to allow a cultural clearance, therefore, the clearance will be conducted when weather permits. Areas of new disturbance will have to be flagged before the clearance is conducted.
3. A raptor study will need to be conducted by our wildlife specialist. Mitigation for raptors may be required.
4. A cutthroat/rainbow trout hybrid exists in the headwaters of Fisher Creek. We intend to keep the water quality and stream diversity intact so the integrity of this population can be protected. Mitigation to maintain stream integrity may be required through the Environmental Assessment (EA) process.

5. The Bureau's Riparian-Wetland Initiative has been recently implemented and establishes guidelines for activities within 100 meters of riparian areas. You will be required to follow these established guidelines.
6. The alignment for the proposed changes in the access route to the Green Slide quarries west of Fisher Creek should be designed to be safe and create the least amount of disturbance. The alignment should also be flagged so it may be analyzed and included in our required environmental documentation.

Since Dan determined that the Fisher Creek operation is greater than 5 acres, a Plan of Operation will be required. To meet our obligation described in the National Environmental Policy Act (NEPA) an EA to fully analyze these operations is also required. Enclosed for your information is a copy of our suggested format for a Plan of Operations. Most of the information needed for the plan is in your notice. An amendment to your notice which includes a reclamation plan as described in item (8) of our suggested plan format and a more detailed description of the proposed drag line operation would satisfy a Plan of Operation submission. As you mentioned to Dan when you dropped your notices by the office you would like to meet with us to discuss all your operations. Please call so we can schedule a time to do so. In order for my staff to complete the environmental assessment some of the specialists need to complete a field exam of the operation area and would like to schedule a time when you could join us to do this exam.

Operations under a Plan of Operations require you to provide a reclamation bond. The State of Utah also requires a bond for large mining operations. To prevent double filing of a bond, the State of Utah will hold the bond for this operation with the United States Government as a joiner. We can discuss the details of a bond at our meeting.

A routine inspection was conducted by Dan Washington of on September 10, 1993, of the Fisher Creek Mining Area. The area appeared nearly the same as when an inspection was made in the spring of 1993, except for the evidence that some material had been removed from the large quarry on the Fisher Creek #1 claim. The road to the Green Slide workings is poorly maintained and badly eroded on the lower portions. This is a violation of 43 CFR 3809.3-3(b). Garbage, debris and junk vehicles (old winch truck, old truck with compressor on it, a trailer mounted compressor, and an old wrecked pickup with many parts missing) are scattered around on the claims in Fisher Creek. This is a violation of 43 CFR 3809.3-7. As the claimant you are responsible for the clean up and removal of these items from these areas even if someone that you have allowed to operate on your claims left them.

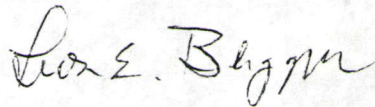


The area was reinspected on October 19, 1994. The area appeared nearly the same as previous inspections except that about 100 tons of material had been removed from the quarry on Fisher Creek #1, the workings on the quarry face had been expanded and the floor or dump expanded as well. Also some foreign material has been dumped on the north side of the dump. This is a violation of 43 CFR 3809.2.

Within 30 days of receipt of this letter, you are required to submit the information requested so we may complete our analysis of your Fisher Creek operation. You are also required to submit a plan to correct the above violations.

If you have any questions, please feel free to contact Dan Washington at (801) 977-4300.

Sincerely yours,



Leon E. Berggren  
Bear River Resource Area Manager

cc: Utah Division of Oil, Gas & Mining  
Utah Division of Water Quality